No. R. 3145—*L. R.* 212-06-2, *dated* 11*th September* 1906.

The following Order of Government, made in exercise of powers conferred by Sections 4 and 233 of the Mysore Land Revenue Code, 1888, and all other powers enabling them in this behalf, is published as required by Section 234 of the said Code :—

No. R. 3105-44—L. R. 212-06-1, DATED BANGALORE, 11TH SEPTEMBER 1906.

ORDER.—The Mysore Land Revenue Code, 1888, having been amended by Regulation No. VI of 1906, the Government of His Highness the Maharaja take this opportunity of explaining briefly the changes introduced by that Regulation in the existing system of revenue administration, and at the same time of defining the additional powers and duties which it is considered desirable to assign to the Revenue Commissioner.

2. The Mysore Land Revenue Code, as enacted in 1888, reserved power to Government to appoint a Revenue Commissioner, and to assign to him the duties and powers of Government set out in Schedule I of the Code, subject to certain conditions. It has been found by experience to be desirable to formally constitute the Revenue Commissioner as the chief controlling Revenue authority in land revenue matters subject to Government, provision being made in the Code itself for his being vested with the duties and powers which he is to perform and exercise.

Accordingly, the new Section 4 (as substituted by Regulation VI of 1906) declares that the chief controlling authority in land revenue matters is vested in the Revenue Commissioner subject to Government, and defines the duties and powers to be performed and exercised by him. Schedule I, being no longer necessary, has been repealed, and various minor consequential changes have been made in other provisions of the Code with a view to making the same as far as possible identical with the provisions of the Bombay Land Revenue Code.

The full appellate jurisdiction which the Revenue Commissioner could have exercised under Section 210 of the Code had been to some extent curtailed by Notification No. 37, dated the 8th August 1902. This Notification will be formally cancelled, as it has virtually been by the amendments now made to the Land Revenue Code, as the effect of which the Revenue Commissioner will (among other things) have full powers of appeal from the decisions and orders of subordinate Revenue officers. In order to secure a reasonable degree of finality with respect to the appellate orders of the Revenue Commissioner, an additional clause has been inserted in Section 210, so as to bar appeals to Government from appellate decisions or orders passed by that officer except on points of law or usage having the force of law. The law in Bombay is somewhat different and makes all orders of Commissioners on second appeal final.

3. Having thus explained the scope of the amendments of the law recently introduced, Government now proceed to indicate in greater detail the extent to which and the directions in which the functions of the Revenue Commissioner will be enlarged beyond those assigned to him at present.

4. The office of the Revenue Commissioner was created in August 1902 for the purpose of providing for the more efficient control and supervision of the Revenue Department. Although there has been considerable improvement in the working of the Department since then, yet the results achieved have not come up to the full expectations of Government, owing no doubt in some measure to its not having been found possible at the outset to invest the Revenue Commissioner with all the powers properly pertaining to his office.

The fact that he has now been constituted the chief controlling revenue authority, and that his responsibility as such for the Revenue Administration has been fully recognized, will, it is hoped, ensure the full attainment of the object with which the appointment was created, and enable him to effectually carry out all measures calculated to promote the industrial and agricultural progress of the country, and to improve and maintain at a high level the efficiency of the Revenue service generally.

5. *Land Revenue.*—The following powers heretofore exercised by Government will now be delegated to the Revenue Commissioner :—

(1) Power to deal with the reports of the Deputy Commissioners regarding the sufficiency and realisable nature of the securities taken from Revenue officers under Rule 8 of the Land Revenue Rules.

(2) Power to sanction appropriation of lands for roads whether Provincial or Local Fund, and for schools, Dharmasalas and other public purposes, where no compensation has to be paid by Government for lands taken up; subject to the limitation that the market value of the land appropriated, if unassessed, does not exceed Rs. 100 in any case, and the assessment of the land, if assessed, does not exceed Rs. 5. The Revenue Commissioner should submit for the information of Government half-yearly returns showing the alienations sanctioned by him.

(3) Power to appropriate assessed Government lands for extension of village sites and to write off assessment thereon.

(4) Power to exercise the special powers reserved to Government in the grant of lands for garden cultivation under Appendix I of the Land Revenue Rules of 1890, subject to the condition that the assessment of the land so granted in any case does not exceed Rs. 500.

(5) Power to sanction refunds admissible under the Rules, submitting to Government half-yearly returns of the same.

(6) Power to direct the remission of irrecoverable arrears of revenue, submitting to Government half-yearly returns of the same.

6. *Reports and Returns.*—Separate orders will be issued in regard to the reports and returns relating to collections of land revenue and other allied matters that will hereafter be dealt with by the Revenue Commissioner.